

EXHIBIT D

From: Patrick Murphy <pmurphy@wpdn.net>

Sent: Tuesday, October 1, 2024 4:27 PM

To: Paula Colbath <pcolbath@loeb.com>

Cc: Marc Gottlieb <msg@orllp.legal>

Subject: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

Dear Paula:

Thank you for your phone call on Sunday morning before my 8:30 am Mass. Our client representatives are talking and Zooming, trying to discern a path toward a global settlement. That goal is important to each and all of us. And I appreciate you encouraging this settlement dialogue between our client representatives.

I continue feeling it is best that we “leave this to our clients to try to work out — without our overt lawyer involvement.” So, while our clients are obviously reporting to each of us as to their settlement dialogue and any perceived progress, I don’t want to comment or inject myself into their settlement discussions — other than to say “thank you, Paula” for helping to enable our clients to talk, face to face.

And, suddenly, BCB feels our clients made a meaningful and significant “breakthrough” in their most recent Zoom settlement call, to wit, an idea is now on the table that could materialize and mature into a global resolution. BCB has made significant moves toward global resolution, and BCB wants to continue on this path to resolution. Michael and Emory feel Erick and Jiaming do, too. And, as I understand it from Michael and Emory, another Zoom settlement call is scheduled this evening [and our clients have already had two Zoom settlement calls today].

I know you hit the “pause button” on your Sunday preparation for Emory Patterson’s deposition. And you vacated Emory’s September 30 deposition with my assurance that I will later provide Emory for your deposition of him at a future time that is mutually convenient for you, Emory and me.

Actually, each of us hit the “pause button” on the lawsuit/litigation activity to instead dedicate our best efforts and support to helping our respective clients discuss, and hopefully reach, a global settlement this week, perhaps very early next week. I know this: all of my efforts the last 56 hours are wholly devoted to helping Michael and BCB reach a compromise settlement with all remaining Defendants. And I know this, too: all of my efforts in the coming hours and days will be dedicated to seeking a settlement, not litigating.

In this spirit, which I believe you share, I write to suggest that we do some things to help each of us and our clients. Given the fact that dispositive motions are currently due this Friday, October 4, and given the fact we haven’t yet received Judge Johnson’s Order on our stipulated request to push back all the briefing deadlines three weeks, and given the fact you and I are using all our efforts to promote and aid our clients with their new (9/29/24 and ongoing) settlement efforts, I think you and I should agree to a few things.

I think I should agree to grant you an extension of time to file Responses to any motions BCB has filed that MineOne hasn’t already responded to. The two motions that come to mind are BCB’s 9/20/24 Motion to quash and strike withdrawn Bitmain Georgia expert John Hayward, and BCB’s Motion to Quash/strike MineOne’s Subpoena on JWJ Technology, LLC. If there is another outstanding BCB motion, I can’t now recall it.

And I would like your agreement to do the same for BCB serving its Response to MineOne’s 25-page Motion to Compel Discovery. Michael Murphy is heavily involved with researching and drafting BCB’s [future] Response to that Motion, but all of Michael’s time and effort is being put 100% into his settlement dialogue

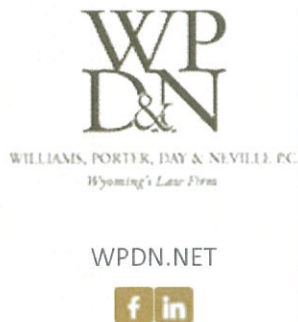
with Erick and Jiaming. And, if our clients don't settle, I would be seeking your consent to file a parallel 25-page Response, as well as some extra days — like MineOne was granted — to serve BCB's Response.

So here's my thought while our clients dedicate themselves to this "new" settlement dialogue. I would agree that MineOne have two weeks after the cessation of these settlement talks to file their Responses to BCB's Motions. And I would appreciate MineOne granting BCB the same two-week extension to file its Response to MineOne's Motion to Compel Discovery — beginning when you and I jointly declare these new settlement efforts are at an impasse.

Finally, I feel you and I should jump on a quick call this afternoon and ask to speak to Judge Johnson's judicial assistant, Sarah. We should inform the Court that, starting last Sunday, our client representatives are having face-to-face settlement dialogue (with both parties wanting and trying to reach a global settlement). That, as their counsel, you and I encouraged and help enable these settlement discussions. That these "new" negotiations are being conducted in earnest. And, while we don't know if our clients will reach a settlement, we, as their counsel, are dedicating our current efforts to helping (if only in the background), and not to litigating. And, while we are not requesting or pushing for the Court to enter any quick Order on the substantive issues we discussed in the September 26 hearing with His Honor, both of us would appreciate the Court quickly entering a short Order pushing back all the briefing deadlines by three weeks (as all Parties agree should happen).

Does this make sense to you and Marc? I think it does, Paula. Thank you.

Pat Murphy



Patrick J. Murphy

Attorney at Law

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159 N. Wolcott St. Suite 400 (82601)

P.O. Box 10700

Casper, WY 82602

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Patrick Murphy

From: Paula Colbath <pcolbath@loeb.com>
Sent: Wednesday, October 2, 2024 9:58 AM
To: Patrick Murphy
Cc: Marc Gottlieb; MineOne-BCB; Masterson
Subject: RE: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

Pat: I just Zoomed with Drs. Rengifo and Li. I have been advised that there is a settlement framework under discussion, but as we know as lawyers, the devil is always in the details. I understand your side is drafting the settlement agreement and we look forward to reviewing it soon. In the meantime, we must all honor the deadlines we currently face, including getting Emory's deposition on the schedule for next Wednesday. Hopefully, we will have an inked deal before then, maybe as early as this week. Once we receive your draft settlement agreement, we will review it with our clients and get back to you ASAP with our comments.

Again, we are on standby to review the draft settlement agreement that I understand Michael is working on.

Regards,
Paula

From: Patrick Murphy <pmurphy@wpdn.net>
Sent: Wednesday, October 2, 2024 11:37 AM
To: Paula Colbath <pcolbath@loeb.com>
Cc: Marc Gottlieb <msg@orllp.legal>; MineOne-BCB <MineOne-BCB@loeb.com>; Masterson <masterson@wpdn.net>
Subject: RE: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

Dear Paula:

Michael Murphy is now reporting to me that he, Erick and Jiaming just reached a settlement framework in principle on their extended Zoom settlement call early this morning. And that each of them expressed to one another, at the end of their Zoom call, they have a settlement framework in principle.

Michael also says we need to "paper" this settlement framework, starting immediately.

Michael and I will take the laboring oar with writing the proposed draft of the written settlement agreement.

And we will use, as our template, much of the language and organization in our BCB/Bitmain Georgia Settlement Agreement.

Would you please reach out to Erick and Jiaming to confirm this, Paula?

It is urgent, Michael says, that the Court be able to distribute the attached funds (currently invested, through the registry of the Court, with the Department of the Treasury, the Clerk tells me) ASAP...so the Parties can invest their allocated funds in Bitcoin ASAP.

I know lawyers often like to say, “time is of the essence,” but time – and getting the allocated monies invested in Bitcoin – truly is of the essence here. So much so that Michael and I hope to provide you with a draft Settlement Agreement by the end of the day or very early tomorrow. Our hope is that Judge Johnson would be able to sign an Order distributing all the attached funds, and all of their accrued interest, sometime this Friday.

Thank you, Paula.

Pat Murphy



Patrick J. Murphy

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From: Paula Colbath <pcolbath@loeb.com>
Sent: Tuesday, October 1, 2024 4:28 PM
To: Patrick Murphy <pmurphy@wpdn.net>
Cc: Marc Gottlieb <msg@orlp.legal>; MineOne-BCB <MineOne-BCB@loeb.com>
Subject: RE: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

I'll keep my fingers crossed. Things look encouraging.

Regards,
Paula

From: Patrick Murphy <pmurphy@wpdn.net>
Sent: Tuesday, October 1, 2024 5:47 PM
To: Paula Colbath <pcolbath@loeb.com>
Cc: Marc Gottlieb <msg@orlp.legal>; MineOne-BCB <MineOne-BCB@loeb.com>
Subject: RE: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

That's fine, Paula. Thank you. Michael told me he and Erick and Jiaming are Zooming at 8pm Eastern tonight.

We'll round in the morning with each other to then call Judge Johnson's chamber.

Pat



Patrick J. Murphy

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To: Patrick Murphy <pmurphy@wpdn.net>
Cc: Marc Gottlieb <msg@orllp.legal>; MineOne-BCB <MineOne-BCB@loeb.com>
Subject: RE: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

Pat: Unfortunately, I'm not able to connect with Jiaming and Erick until much later tonight, so I'll be back to you sometime tomorrow regarding your below email.

Best,
Paula

Paula Colbath
Partner



345 Park Avenue | New York, NY 10154

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From: Paula Colbath <pcolbath@loeb.com>
Sent: Tuesday, October 1, 2024 2:43 PM
To: Patrick Murphy
Cc: Marc Gottlieb
Subject: Re: BCB, MineOne, and Reaching Out to Judge Johnson's Judicial Assistant This Afternoon.

Pat: I've now had a chance to read your entire email and do think what your proposing makes sense under the circumstances. I want to have a quick call with my team to make sure that I understand all upcoming deadlines for all of us and then I'm agreeable to make a call to Judge Johnson's Chambers once you, me and Marc agree on a proposed timeline.

Paula

Paula Colbath
Partner



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